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| 09/428,134      | 10/26/1999  | JASMIN AJANOVIC      | 042390.P6341        | 4288             |

7590 11/14/2003

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EXAMINER

LEFKOWITZ, SUMATI

| ART UNIT | PAPER NUMBER |
|----------|--------------|
|----------|--------------|

2189

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DATE MAILED: 11/14/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

PR

# Office Action Summary

Application No.

09/428,134

Applicant(s)

AJANOVIC ET AL.

Examiner

Sumati Lefkowitz

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 27 October 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-20,22-35 and 37-66 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-20,22-35 and 37-66 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

1. Claims 1, 2, 4-20, 22-35, and 37-66 are pending.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

3. Claims 1, 2, 4-20, 22-35, and 37-66 are rejected under 35 U.S.C. 102(e) as being anticipated by Bell, 6,088,370.

As to claims 1, 2, 4-20, 22-35, and 37-66, Bell discloses the invention substantially as claimed, as Bell discloses an interface to transfer data directly between a memory control hub (MCH) and an input/output control hub (ICH) within a computer system, comprising a data signal path to transmit data in packets via split transactions, and a set of command signals, wherein the interface provides a point-to-point connection between the MCH and the ICH, exclusive of an external bus connected directly to the interface, wherein information is transmitted in source synchronous clock mode via request and completion packets including transaction descriptors (note Figures 1 and 2A and column 2, line 15 – column 3, line 25, wherein Bell discloses in column 2, lines 20-25 that the controller 115 can function as a bridge between a memory bus to which one or more memory devices are connected. Examiner is taking

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the controller operating in this manner to be the memory control hub. Bell also discloses in column 2, lines 25-32 that the bus expander bridge 120 is coupled to two PCI buses 122 and 123, both of which have PCI devices coupled thereto. Examiner is taking the PCI devices coupled to the PCI buses to be I/O devices, and therefore the expander bridge 120 reads on the input/output control hub (ICH).)

*Response to Arguments*

4. Applicant's arguments filed 10/<sup>6</sup>~~31~~/03 have been fully considered but they are not persuasive for the following reasons:

The examiner cannot disregard Applicant's description of the claimed ICH as being able to support multiple buses with separate protocols. The claimed ICH is to be interpreted as being able to support multiple buses with separate protocols or support a single protocol.

Examiner is not disregarding Applicant's description in the specification (page 14, lines 1-9) of the claimed ICH as being able to support multiple buses with separate protocols or support a single protocol. Examiner is giving the claimed ICH its broadest reasonable interpretation consistent with the specification, In re Hyatt, 211 F.3d 1367, 1372, 54 USPQ2d 1664, 1667 (Fed. Cir. 2000). And the specification supports, as Applicant has pointed out, the interpretation of the ICH as being able to support multiple buses with separate protocols or support a single protocol. In order to meet this limitation then, since it is broadly recited in the claim and not specifically reciting one or the other of the interpretations, all that is required is for one of the interpretations to be met. And Bell does teach an ICH which supports a single protocol.

Examiner can read a claim in light of the specification, to interpret limitations explicitly recited in the claim, but cannot read limitations of the specification into a claim, to thereby narrow the scope of the claim by implicitly adding disclosed limitations which have no express basis in the claim. See *In re Prater*, 415 F.2d 1393, 1404-05, 162 USPQ 541, 550-51 (CCPA 1969) and MPEP 2111.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., the ICH supporting multiple protocols) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

In addition, Examiner is citing the following references as teaching a single bridge which supports multiple protocols.

- 6,567,876 Stufflebeam – Figures 1 and 2, Expansion Bridge with South Bridge Logic
- 6,308,255 Gorishek, IV et al. – Figures 1, 2, and 9, Bus Bridge 12
- 6,101,566 Woods – Figure 2, South Bridge Logic 100 and Expansion Bridge With South Bridge Logic 70
- 5,774,681 Kunishige – Figure 3, DS-PCI/ISA Bridge 20

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's

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disclosure as the art discloses a single bridge supporting multiple protocols.

US Patents: 6,567,876 Stufflebeam 6,308,255 Gorishek, IV et al.

6,101,566 Woods et al. 5,774,681 Kunishige

6. This is an RCE of applicant's earlier Application No. 09/428,134. All claims are drawn to the same invention claimed in the earlier application and could have been finally rejected on the grounds and art of record in the next Office action if they had been entered in the earlier application. Accordingly, **THIS ACTION IS MADE FINAL** even though it is a first action in this case. See MPEP § 706.07(b). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no, however, event will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sumati Lefkowitz whose telephone number is 703-308-7790.

The examiner can normally be reached on Monday-Friday from 6:00-2:30.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Rinehart can be reached at 703-305-4815.

The fax phone numbers for the organization where this application or proceeding is assigned are:

703-746-7238 for After-Final communications

703-872-9306 for Official communications

703-746-5661 for Non-Official/Draft communications

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.



Sumati Lefkowitz  
Primary Examiner  
Art Unit 2189

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November 13, 2003